

when land is involved, to send the records to another court to be tried to me is just in the realm of fantastic. I just cannot see how any lawyer would want to agree to this.

THE CHAIRMAN: Does any other delegate desire to speak in favor?

Delegate Clagett.

DELEGATE CLAGETT: Mr. Chairman, I would like to make an amendment to this amendment, and it would be a very simple one and not require writing, simply to strike on line 8 the words "all cases" and on line 9 "in equity" and on line 16 the words which we had added by agreement "and domestic relations."

THE CHAIRMAN: Is there any objection to the consideration of such an amendment notwithstanding the fact that it is not printed?

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: I have no objection to the amendment. I would hope that the co-sponsors would go along with me and get this matter settled because I think by striking what Delegate Clagett has suggested would remove all possible opposition to this thing, and I might want to comment on what Delegate Ciccone said.

THE CHAIRMAN: You have no objection to the amendment on the basis that it is not printed. Delegate Macdonald, would you object on the ground that the amendment is not printed?

DELEGATE MACDONALD: No, I was not going to object on that ground.

THE CHAIRMAN: Very well. Amendment No. 25-A, Delegate Clagett, will you please have somebody start work in preparing the amendment, Amendment No. 25-A, to strike from lines 8 and 9 the words "and all cases in equity," and to strike from line 16 the words added by the modification, "and domestic relations." Amendment No. 25-A is submitted by Delegate Clagett. Is there a second?

DELEGATE CHILD: Second.

THE CHAIRMAN: The amendment is seconded by Delegate Child.

Delegate Clagett, do you wish to speak to the amendment?

DELEGATE CLAGETT: No, sir. I think it is self-explanatory.

THE CHAIRMAN: Very well. Delegate Macdonald, do you wish to speak in opposition to the amendment?

DELEGATE MACDONALD: I rise briefly to oppose the amendment, Mr. Chairman.

THE CHAIRMAN: I am speaking now of the amendment to the amendment.

DELEGATE MACDONALD: Very well. You may proceed.

DELEGATE MACDONALD: I think if this amendment is good, it should apply to law and equity cases, both. There is no reason to confine it just to law cases, and we must bear in mind that this right of removal now under this amendment can be exercised only if it is exercised within a reasonable time, and will be up to the Court of Appeals or the General Assembly to prescribe what is a reasonable time.

THE CHAIRMAN: This eliminates all of the abuses which we have under the present system.

THE CHAIRMAN: Delegate Case, do you desire to speak in favor or in opposition to Amendment No. 25-A?

DELEGATE CASE: Mr. Chairman, I wanted to ask the sponsor of 25-A a question.

THE CHAIRMAN: Delegate Clagett, do you yield to a question?

DELEGATE CLAGETT: Yes, sir, I yield.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Why have you seen fit to eliminate from this amendment cases in equity, and at the same time you do not eliminate cases at law which are tried without a jury?

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: There can be instances where, notwithstanding the fact that the case is to be tried without a jury, where the right of removal might be equally as important as in cases being tried before a jury, particularly where there may be an atmosphere in a particular county that would justify the removal.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Would the same atmosphere not apply in an equity case? All you have got in each of the cases I am suggesting to you is the judge sitting on the bench. Would the atmosphere not be exactly the same?

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Running back over a period of twenty years of practice,